



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

STEPHEN CHA, MD, MHSR
Commissioner

DR. DALE G. CALDWELL
Lt. Governor

TRENTON, NJ 08625-0716

NATASHA JOHNSON
Assistant Commissioner

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **21458-25 C.L.**

AGENCY DKT. NO. **S671328012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's EA benefits, contending that she had exhausted her lifetime limit of EA benefits, and that she did not qualify for a hardship extension of EA benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 20, 2026, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents, and the record was closed. On March 6, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I hereby ADOPT the Initial Decision and AFFIRM the Agency's determination, based on the discussion below.

EA benefits are limited to 12 months, plus limited extensions for an "extreme hardship" where the recipient has taken "all reasonable steps to resolve the emergent situation but the emergency nonetheless continues or a new emergency occurs, which causes extreme hardship to the family." N.J.A.C. 10:90-6.4(b); see also N.J.S.A. 44:10-51.

N.J.S.A. 44:10-51(a)(4) ("7-year disregard"), provides, in part, that "all months of emergency assistance received more than 84 months from the date of application for emergency assistance shall not be counted toward the cumulative 12-month limit of emergency assistance." Additionally, any extreme hardship extensions of EA benefits, and any EA benefits received pursuant to an EA benefits pilot program, received more than 84 months from the date of the EA application shall not be counted. See DFD Instruction ("DFDI") No. 19-07-01. However, in no case shall an individual receive more than 24 cumulative months of EA benefits, excluding any EA benefits received pursuant to an extreme hardship extension and EA benefits pilot program received more than 84 months from the date of the application for EA benefits.

Here, the ALJ found, and the record substantiates, that Petitioner has received her 12-month lifetime limit of EA benefits, and currently does not qualify for any hardship extension of any kind. See Initial Decision at 2-3; see also Exhibits R-1, R-4, R-5, R-10. Petitioner did submit a Hardship Extension application, however, upon review, the Agency determined that she did not meet the criteria for a hardship extension of EA benefits. *Ibid.*; see also N.J.A.C. 10:90-6.4(a), (b), (c). Based on the foregoing, the ALJ concluded that the Agency properly applied the 7-year disregard, however, Petitioner's lifetime EA total is twenty-three months. See Initial Decision at 2. Accordingly, the ALJ concluded that Petitioner has reached her lifetime limit for EA benefits, plus all available extensions, and that the Agency's termination of Petitioner's



EA benefits was proper and must stand. See Initial Decision at 2-3; see also Exhibits R-1, R-4, R-5, R-10. Based upon an independent review of the record, I agree.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with her current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. April 23, 2026

Natasha Johnson
Assistant Commissioner

